



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

February 28, 2012

Wyatt, Tarrant & Combs, LLP
Attention: Frank F. Chuppe
500 West Jefferson Street, Suite 2800
Louisville, Kentucky 40202-2898

Re: Navitas Ky NG, LLC ("Navitas") and Gasco Distribution Systems, Inc. ("Gasco")
Petition for Confidential Treatment received 12/13/10
PSC Reference – Case No. 2010-00468

Dear Mr. Chuppe:

The Public Service Commission has received the Petition for Confidential Treatment you filed on December 13, 2010 on behalf of Navitas Ky NG, LLC ("Navitas") and Gasco Distribution Systems, Inc. ("Gasco") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is identified as being contained in their Joint Application and attachments. The information is described as 2009 Federal and State Tax Returns and Audit Report (Exhibit I); and location of components of the utility's gas system containing in the Amendment to the Asset Purchase Agreement (Exhibit B) classified as infrastructure.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information could result in an unfair commercial advantage to competitors, and disclosure of infrastructure information could result in an unwarranted risk to the public and the utility.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to Navitas and Gasco's competitors, and disclosure of infrastructure materials could result in an unwarranted risk to the public, as well as the utility. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the

Mr. Chuppe
February 28, 2012
Page 2

Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Navitas Ky NG, LLC ("Navitas") and Gasco Distribution Systems, Inc. ("Gasco") are required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sincerely,



Jeff Derouen
Executive Director

kg/

cc: Parties of Record